

A. STATE-AT-A-GLANCE

1)	Program Operation	County administered, State supervised
2)	Number of Local Offices (excluding Agencies under Cooperative Agreements)	63 counties
3)	Type of Agencies with Cooperative Agreements	All programs operate through the County Department of Social Services, many of which contract with private counsel. Arapahoe, Douglas, Elbert and Lincoln counties have a cooperative agreement with the District Attorney in Arapahoe County. The El Paso and Teller county programs have obtained a purchase of service agreement with Maximus. There are eight counties that have a limited purchase of service agreement to collect AFDC debt only cases.
4)	Uniform Interstate Family Support Act	Yes
5)	Agreements With Tribal Entities	No
6)	Age of Majority for Termination of Support	19 or upon judicial determination
7)	Statutes of Limitation:	
	• Collection of Past Due Support	No limitations. Although if the arrears are reduced to Judgment there is a 20 years statute of limitations on the Judgment. However Judgments are renewable prior to the 20 year expiration.
	• Paternity Establishment	18, if action initiated by custodial parent; 21 if action is initiated by child.
	• Dormancy Revival/Renewal Possible [yes/no]	Yes. See above
8)	Guidelines	Income shares
9)	Interest Rates on	
	• Missed Payments	Yes, under Colorado Revised Statutes (C.R.S.), interest can be calculated for child support arrearages. The following interest percentages can be calculated: prior to June 30, 1975, 6% simple interest; July 1, 1975, through June 30, 1979, 8% simple interest; July 1, 1979, through June 30, 1986, 8% compounded interest; and July 1, 1986, through the present 12% compounded interest. Each county office may have their own procedures to calculate interest. The Colorado State Department of Child Support Enforcement as of the date of this writing, has no specific procedures to calculate interest.
	• Retroactive Support	Yes, from date of order forward. A judgment is not required.

	<ul style="list-style-type: none"> Adjudicated Arrearage 	Yes, from date of order forward. A judgment is not required.
10)	Arrearage Collections for Non-minor Child(ren)	Yes
11)	Distribution Scheme	
	<ul style="list-style-type: none"> AFDC Arrears 	AFDC arrears are liquidated first.
	<ul style="list-style-type: none"> Non-AFDC Arrears 	Non-AFDC arrears are paid to the custodian after there are no monies due the state.
12)	Procedures Regarding Medical Support Using Income Withholding	No, unless the medical support is a specific dollar amount.
13)	New Hire Reporting	No
14)	Recovery of Costs Elected Under State Plan	Yes, from obligor
15)	Recovery of Costs for Initiating State	Birth costs, blood test costs
16)	Long-Arm Statute/s Citation/s	Sections 13-1-124, 14-5-201, 14-5-202 C.R.S.
17)	Automated Locate Resources	Department of Labor and Employment, Department of Motor Vehicle, Credit Bureau, Food Stamps, Public Assistance, FPLS, Vital Statistics Birth Certificate.
18)	Enforcement Options	
	<ul style="list-style-type: none"> State Income Tax Refund Intercept 	Yes
	<ul style="list-style-type: none"> License Revocation/ Suspension 	Yes, drivers licenses
	<ul style="list-style-type: none"> Administrative Liens 	No
	<ul style="list-style-type: none"> Property Seizure & Sale 	Yes
	<ul style="list-style-type: none"> State Funds/Benefits (please specify) 	Unemployment benefits, workman's compensation
	<ul style="list-style-type: none"> Other (please specify) 	State Lottery

19) Spousal Maintenance Orders <i>(specify yes or no)</i>	
• Establish	No
• Enforce	Yes, when there is also a child support obligation
• Modify	No
20) Current Spouse/Partner Information Required	No

B. UNIFORM INTERSTATE FAMILY SUPPORT ACT

1) State Code Citation	14-5-101 et. seq. Colorado Revised Statutes
2) Effective Date	January 1, 1995
3) Adopted Verbatim? If no, list differences.	No, Colorado specified that the Title IV-D office cannot establish or modify spousal support. Additionally, Colorado retained the following provisions from the Uniform Reciprocal Enforcement of Support Act: Venue, Jurisdiction by arrest, Duty of officials of this state as responding state, Declaration of Reciprocity, Interstate Central Registry-duties as the responding and initiating state, and enforcement of interstate income withholding.
4) Repeal URESA?	Yes
5) Repeal IWW?	No

C. INCOME WITHHOLDING

1) Income Withholding Terminology	Interstate Income Withholding Income Assignment.
2) Income Withholding Procedures	
• State Withholding Limits	<p>The total amount allowed to be withheld from any employee's paycheck is limited by the Consumer Credit Protection Act (CCPA) even if the employee has more than one withholding. The limits provided in the CCPA are from 50% to 65% of the employee's disposable earnings.</p> <p>65% if the obligor is not supporting other dependents and the child support Arrearage is more than 12 weeks old.</p> <p>60% if the obligor is not supporting other dependents and the child support Arrearage is less than 12 weeks old.</p>

	<p>55% if the obligor is supporting other dependents and the child support Arrearage is more than 12 weeks old.</p> <p>50% if the obligor is supporting other dependents and the child support Arrearage is less than 12 weeks old.</p>
<ul style="list-style-type: none"> • Fee Charged by Employers 	\$5.00 per month may be charged by the employer.
<ul style="list-style-type: none"> • Date to Remit 	Within 10 days of the deduction
<ul style="list-style-type: none"> • Penalty 	Contempt of court, a monetary penalty may be imposed.
3) Definition of Employer	There is no definition of employer in the income withholding statute, however employer is defined in 8-4-101 (6) C.R.S.
4) Included Income	<p>“Wages” means income to an obligor in any form, including, but not limited to, actual gross income: compensation paid or payable for personal services, whether denominated as wages; earnings from an employer; salaries; payment to an independent contractor for labor or services; commissions; tips declared by the individual for purposes of reporting to the federal internal revenue service or tips imputed to bring the employee’s gross earnings to the minimum wage for the number of hours worked, whichever is greater; rents; bonuses; severance pay; retirement benefits and pensions; workers’ compensation benefits; social security benefits, including social security benefits actually received by a parent as a result of the disability benefit of that parent or as the result of the death of the minor child’s stepparent, but not including social security benefits received by a minor child or on behalf of a minor child as a result of the death or disability of a stepparent of the child; disability benefits; dividends; royalties; trust account distributions; any moneys drawn by a self-employed individual for personal use; funds held in or payable from any health, accident, disability, or casualty insurance to the extent that such insurance replaces wages or provides income in lieu of wages; monetary gifts; monetary prizes, excluding lottery winnings not required by the rules of the Colorado Lottery Commission to be paid only at the lottery office; taxable distributions from general partnerships, limited partnerships, closely held corporations, or limited liability companies; interest; trust income; annuities; payments received from a third party to cover the health care cost of the child but which payments have not been applied to cover the child’s health care costs; state tax refunds; and capital gains. “Wages”, for the purposes of child support enforcement, may also include unemployment compensation benefits.</p>
5) Excluded Income	“Gross income” does not include benefits received from means-tested public assistance programs, including but not limited to aid

	to families with dependent children, supplemental security income, food stamps, and general assistance. Gross income does not include child support payments received.
6) Direct Income Withholding for Unemployment Compensation, include address	No, not an employer (states must use interstate income withholding).
7) Direct Income for Workers' Compensation, include address	No, not an employer, (states must use interstate income withholding).
8) Direct Income Withholding, other income sources subject to, include address	Employers only.
9) Direct Income Withholding, list Other Income Sources NOT subject to	Only employers are subject to direct income withholding.
10) Federal Withholding (See Federal Pay Agents Section)	IV-D Directors need not answer this question.
11) Procedures for Contesting Income Withholding	Yes. If an income withholding order has not been entered, the obligor may object in writing within 10 days of receipt of the Advance Notice of Activation.
12) Arrearages through Income Withholding	Yes. The wage assignment may include a payment on the arrears in the amount of 1/24th of the total amount due. This payment is negotiable.
13) Enforcing Against Non-Resident Obligor Asset/Income	Yes, if non-resident obligor derives income from Colorado.
14) Exception to Immediate Withholding	Yes, for good cause or parties agree in writing to an alternative arrangement.
15) Multiple Obligations Withholding Priorities	
• Policy	All claims will be forwarded to the employer.
• Priority	The amount of support is prorated among the wage withholding according to the amount due in each priority levels.
• Assistance	Colorado Interstate Network (303) 866-5965
• Allocation	1st: Current monthly child support and maintenance when included in the child support order for all wage assignments. 2nd: A specific dollar amount applied toward medical support, if ordered by the court (not health insurance premiums). 3rd: Child support debts, arrears, and retroactive support due, including medical support arrears. 4th: Maintenance only.

D. PATERNITY

1)	Interstate Paternity Procedures	
	Consent Orders Obtained	Yes
2)	Uniform Parentage Act	Yes
3)	Uniform Act on Blood Testing	Yes
4)	Parentage Order Available Without Order for Support	Yes
5)	Custody/Visitation Addressed Subject to Tribunal's Jurisdiction	No
6)	Genetic Test Results as Presumption of Paternity	Yes
	Threshold	97%
7)	Paternity Acknowledgment as Presumption of Paternity (Rebuttable/Conclusive)	Rebuttable presumption
8)	Marriage as Presumption of Paternity	Yes
9)	Putative Father's Name on Birth Certificate, Effect of	Yes
10)	Other Statutory Presumptions	The respondent and the mother of the child were married to each other and the child was born during the marriage or within 300 days after the marriage ended; after the child's birth, the respondent and the mother of the child have married or attempted to marry, and the respondent has acknowledged paternity with the Court or his name is on the birth certificate; while the child is a minor, the respondent receives the child in his home and openly holds out the child as his biological child; the respondent acknowledges his paternity in writing with the Court or Bureau of Vital Statistics and the custodial parent, after notice of such, does not dispute the acknowledgment; before the child's birth, the respondent and the custodial parent have attempted to marry each other and the child was born within the attempted marriage or 300 days after termination of that marriage or cohabitation; genetic tests show that the respondent is not excluded as a probable father and the probability of his parentage is 97% or higher.
11)	Recognition of Common Law Marriage	Yes, when a common law marriage is alleged the court will make a determination of validity.

12) Personal Appearance of Witness or Custodial Parent Required	No
Acceptable Methods of Testimony	Telephone, depositions
13) Long-Arm Statute	Yes
14) Assistance to Other States Using Their Long-Arm Statutes	
<ul style="list-style-type: none"> Service of Process 	We have no state policy. However, you may contact the county in which the non-custodial parent resides to determine individual county policy. The county sheriff offices are also authorized to serve process.
<ul style="list-style-type: none"> Genetic Testing 	We have no state policy. However, you may contact the county in which the non-custodial parent resides to determine individual county policy regarding contract labs and on-site genetic testing.
15) Recovery of Genetic Testing Costs for Other States	Yes

E. SUPPORT ORDER ESTABLISHMENT

1) Interstate Procedures	Processed the same as in-state cases. Administrative process available for establishment of paternity and support.
2) Income Considered for Setting Support	<p>“Gross income” includes income from any source and includes, but is not limited to, income from salaries; wages, including tips, declared by the individual for purposes of reporting to the federal internal revenue service or tips imputed to bring the employee’s gross earnings to the minimum wage for the number of hours worked, whichever is greater; commissions; payments received as an independent contractor for labor or services; bonuses; dividends; severance pay; pensions and retirement benefits, royalties; rents; interest; trust income; annuities; capital gains; any moneys drawn by a self-employed individual for personal use; social security benefits, including social security benefits actually received by a parent as a result of the disability of that parent or as the result of the death of the minor child’s stepparent, but not including social security benefits received by a minor child or on behalf of a minor child as a result of the death or disability of a stepparent of the child; workers’ compensation benefits; unemployment insurance benefits; disability insurance benefits; funds held in or payable from any health, accident, disability, or casualty insurance to the extent that such insurance replaces wages or provides income in lieu of wages; monetary gifts; monetary prizes, excluding lottery winnings not required by the rules of the Colorado Lottery Commission to be paid only at the lottery office; taxable distributions from general partnerships, limited partnerships, closely held corporations, or limited liability companies; and alimony or maintenance received. “Gross income” does not include child support payments received.</p>

3)	Criteria for Rebuttal	Support order will be based on Colorado guidelines. Deviation from the guidelines requires judicial intervention.
4)	Support Order for Prior Periods	Yes

F. ENFORCEMENT

(Note: If multiple orders, see Part “G”)

I. ENFORCING YOUR OWN ORDER

1)	Enforcement for Non-Resident Family	Yes, a Colorado order may be enforced when the obligor resides, is employed, owns property or derives income within the state.
2)	Administrative Procedures and Remedies Available	Yes. Income Withholding, Credit Bureau Reporting, Administrative Attachment of Workman’s Compensation, Drivers License Suspension, Property Liens.
3)	Judicial Procedures and Remedies Available with Registration	Yes. Contempt of court hearings. Judgments.

II. ENFORCING OTHER STATES’ ORDERS

4)	Administrative Procedures and Remedies Available Without Registration	Interstate income withholding and direct income withholding.
5)	Judicial/Administrative Remedies with Registration	All enforcement remedies are available upon registration.
6)	UIFSA/URES A Registration and Enforcement Procedure	UIFSA
7)	Judicial Procedures Required after Registration	None
8)	Uniform Enforcement of Foreign Judgments Act Citation	13-53-104 et. seq. C.R.S.

G. MODIFICATION/REVIEW & ADJUSTMENT OF ORDERS

1)	Jurisdiction Requirements	CEJ analysis per UIFSA
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2) Modification Procedures	Colorado will, upon request in Non-Assistance cases and without a written request in AFDC cases, review child support orders on a three year cycle for possible modification. Colorado will review orders for modification of the child support obligation and for medical support. Modifications may be for either increases or decreases in the child or medical support obligation. Colorado uses current income information, and state statute requirements to review the case. When a child support order is inconsistent with the Colorado Child Support Guideline, Colorado proceeds with a modification action. Colorado statute provides that all child support orders may be adjusted based upon a 10% change in child support order calculation or for the inclusion of medical support in the order which constitute a continuing change in circumstances.
3) Criteria for Modification	Change (up or down) of at least 10%; total support change; no dollar requirement if review and adjustment is just to add medical insurance requirement.
4) Criteria for Change of Circumstances	Definition of “substantial change of circumstance” is a 10% variance in guideline calculation.
5) Frequency With Which Reviews are Conducted	Every 3 years or upon request of either party.
6) Criteria for Review	Order at least 36 months old; IV-D or medical support enforcement case; AFDC, medical assistance only, or IV-E foster care without written request; no assistance or state-funded FC upon request of party or IV-D agency; exception to 36 months rule whenever one of the parties can demonstrate/allege a 10% change.
7) Criteria for Adjustment	See above

H. MULTIPLE ORDERS

ENFORCEMENT AND MODIFICATION

1) Controlling Order	Per section 207 of UIFSA
2) Date of Controlling Order	The date the order is confirmed in Colorado which will be 20 days from the date of mailing of the notice unless an objection is received within that time frame.
3) If No Controlling Order	Colorado adopted Section 207 of the Uniform Interstate Family Support Act verbatim. However, Colorado has developed policy that when multiple orders exist but there is no controlling order, Colorado will enforce the most recent.
4) Arrears Procedure	Colorado has not developed a final policy regarding calculation of arrears. The UIFSA workgroup has recommended that arrears be calculated in chronological order. there have been discussions which support the calculation of arrears based on Colorado orders regardless of analysis of the controlling order. There are also proponents of calculating the arrears based upon the highest order. You may find inconsistencies between counties.

I. Documentation Required to Initiate Requests

ACTION REQUESTED	DOCUMENTS NEEDED	# of Copies of each document	Certification required for each document *See below
Establishment of Paternity and/or Support	<ul style="list-style-type: none"> * Child Support Enforcement Transmittal * Uniform Support Petition * General Testimony, together with documentation of the custodian's earnings, if applicable * Paternity Affidavit, together with a copy of the child's birth certificate <p>Note: We encourage you to use your state's long-arm statute for establishment when applicable.</p>	1 3 3 3	E A A A
Enforcement of Responding State's Order	<ul style="list-style-type: none"> * Child Support Enforcement Transmittal * A copy of the order <u>is not</u> required if the transmittal states the Colorado county that issued the order and the court case number * Affidavit of arrears, preferably in a month by month format, signed by the custodian with the signature notarized * If the child(ren) did not continuously reside with the custodian, an affidavit must be included which sets out the time frames the child(ren) were away from the custodian * If the custodian received payments directly from the non-custodial parent, an affidavit must be included that sets forth the dates and amounts that were received 	1 1 1 1	E A A A
Modification of Responding States'	<ul style="list-style-type: none"> * Child Support Enforcement Transmittal * A copy of the order <u>is not</u> required if the 	1	E

ACTION REQUESTED	DOCUMENTS NEEDED	# of Copies of each document	Certification required for each document *See below
Orders	transmittal states the Colorado county that issued the order and the court case number. * Affidavit of arrears, preferably in a month by month format, signed by the custodian, with the signature notarized * If the child(ren) did not continuously reside with the custodian, an affidavit must be included which sets out the time frames the child(ren) were away from the custodian * If the custodian received payments directly from the non-custodial parent, an affidavit must be included that sets forth the dates and amounts that were received * Obligees financial affidavit, pages 5 & 6 of FSA 202	1 1	A A
Administrative Enforcement of Another States' Order	Interstate Income Withholding: * Certified copy of the support order with all modifications * Certified copy of an income withholding order, if any still in effect * A copy of the portion of the income withholding statute of the state that issued the support order * A sworn statement of the obligee or a certified statement of agency of the arrears (preferably in a month by month format)	1 1	C A/B
Registration for Enforcement of Another States' Order	* Child Support Enforcement Transmittal * Statement of Fact for Registration * All orders to be registered, including any modifications * A sworn statement by the party seeking the registration or a certified statement by the custodian of the records showing the amount of any Arrearage	1 1	E A
Collection of Arreages in Multiple Orders			
Uniform Enforcement of Foreign Judgments Act	* Child Support Enforcement Transmittal * A copy of the Foreign Judgment	1 2	E 1C

ACTION REQUESTED	DOCUMENTS NEEDED	# of Copies of each document	Certification required for each document *See below
	* Affidavit for Registration of Foreign Judgment which shall include the name and last known address of the judgment debtor and creditor	1	A
Modification of Another State's Order	* Child Support Enforcement Transmittal	1	E
	* All orders to be registered, including any modifications	2	1C
	* A sworn statement by the party seeking the registration or a certified statement by the custodian of the records showing the amount of any Arrearage	1	A
	* A completed financial affidavit, signed by the custodian with the signature notarized, together with documentation of earnings * If the order has not previously been registered, a completed Statement of Facts for Registration requesting modification or enforcement and modification	1 1	A A
Status Update on an Existing Interstate Case	By correspondence to the county processing the action	1	E
Assistance/Discovery	No state policy		
Quick Locate	Locate Data Sheet	1	

**A= Notarization by Notary Public; B= Certification by signature of agency official;
C= Certification by signature of court official; D= Others (please specify);
E= Certification not required*

J. State Contact Chart

ASSISTANCE NEEDED	CONTACT Name, Title, Address, Phone, Fax, E-mail (include 800 if applicable)
State Information Agent	Mary Ann Hicks Program Assistant 1575 Sherman Street, 2nd Floor Denver, Colorado 80203-1714 (303) 866-5965, Fax (303) 866-2214
Central Registry	Colorado Interstate Network Division of Child Support Enforcement 1575 Sherman Street, 2nd Floor Denver, Colorado 80203-1714 (303) 866-5965, Fax (303) 866-2214
Interstate Policy Contact (if different)	Same as above
Contact for Information Regarding Your States Long Arm Statute and Process	Same as above
Contact for Information Regarding Collection and Distribution (State level)	Sherri Kvasnicka Financial Operations Analyst 1575 Sherman Street, 2nd Floor Denver, Colorado 80203-1714 (303) 866-3676, Fax (303) 866-2214
Contact to Obtain Payment Records	Colorado Family Support Registry (FSR) P.O. Box 2171 Denver, Colorado 80201-2171 (303) 299-9123, Fax (303) 295-0302 or Court Clerks * The FSR was implemented on July 1, 1993 - prior to this time, payments were remitted to the District Court Registry's.
Contact to Obtain Copy of Order	Court Clerks
Contact for States Using Their Long Arm Statutes or Continuing Exclusive Jurisdiction (no "case" in your State) for	Colorado Interstate Network Division of Child Support Enforcement 1575 Sherman Street, 2nd Floor Denver, Colorado 80203-1714 (303) 866-5965, Fax (303) 295-0302
<ul style="list-style-type: none"> Service of Process (private process server? If so , list) 	Varies: contact county Child Support office
<ul style="list-style-type: none"> Genetic Testing (e.g. assistance with interstate teleconferencing) 	The local child support enforcement units, as each office contracts for genetic testing
New Hire Reporting Contact	Roberta Meyer Social Services Specialist 1575 Sherman Street, 2nd Floor Denver, Colorado 80203-1714 (303) 866-5994, Fax (303) 866-2214 * Colorado does not have mandatory New Hire

Employer Assistance Contact	Dee Williams Social Services Specialist 1575 Sherman Street, 2nd Floor Denver, Colorado 80203-1714 (303) 866-5965, Fax (303) 866-2214
Telephone Number for Automated Interstate Case <i>Status</i> Requests (if any)	Not available
Telephone Number for Automated Interstate Case <i>Payment</i> Requests (if any)	Colorado Family Support Registry P.O. Box 2171 Denver, Colorado 80201-2171 (303) 299-9123, Fax (303) 295-0302
Privatization Contact	Andrea S. Baugher Operations Section Chief 1575 Sherman Street, 2nd Floor Denver, Colorado 80203-1714 (303) 866-5965, Fax (303) 866-2214